



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 15, 2019

The Honorable Richard J. Durbin  
United States Senate  
711 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Durbin:

Thank you for your letter regarding the Federal Communications Commission's actions to help consumers address unwanted robocalls, which for years has been their top complaint to the agency. Combatting unwanted robocalls has been my top consumer protection priority since becoming Chairman. We have tackled this complex challenge with a comprehensive approach—though rulemaking, enforcement actions, and consumer education—in addition to our collaboration with other government entities and industry.

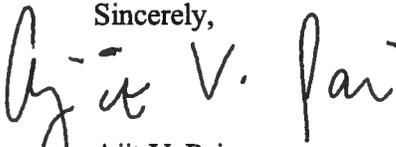
During my tenure as FCC Chairman, we've taken action to cut off robocalls and spoofing at the source, including authorizing carriers to stop certain spoofed robocalls. We've authorized the creation of a reassigned numbers database. And we've used the authority Congress gave us in last year's RAY BAUM'S Act to expand the reach of our anti-spoofing rules.

And in one of the biggest steps yet, at our June 2019 meeting, the FCC adopted my proposal to allow phone companies to establish call-blocking services as a default setting for consumers. This was paired with another proposal related to call-blocking—a Further Notice of Proposed Rulemaking regarding a safe harbor for carriers that block phone calls that are not properly authenticated under the SHAKEN/STIR caller ID authentication framework, including a proposal for the Commission to mandate adoption of that framework if major voice service providers fail to implement it by the end of the year. I'm optimistic that these steps will make a significant dent in this problem.

In addition, the Commission continues to aggressively enforce the Telephone Consumer Protection Act as well as the Truth in Caller ID Act. We have sent a clear message that those who engage in illegal robocall schemes will pay a price. In instances where robocallers have refused to pay the imposed forfeitures, the Commission refers the case to the Department of Justice for collection per our normal practice. Additionally, the FCC coordinates with the Federal Trade Commission on investigations into violations of our Do Not Call rules, and we work together on consumer education programs. The Commission also works with federal and state agencies to share information and resources that can be used to investigate unwanted calls.

Commission staff continue to review the record developed to resolve issues related to what constitutes an "automatic telephone dialing system" as well as the scope of a consumer's right to revoke prior express consent to receive robocalls. These issues were left open after the U.S. Court of Appeals for the District of Columbia's decision in *ACA International v. FCC* struck down much of the agency's *2015 TCPA Declaratory Ruling and Order*.

Please let me know if I can be of any further assistance.

Sincerely,  
  
Ajit V. Pai



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

October 15, 2019

The Honorable Tammy Duckworth  
United States Senate  
524 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Duckworth:

Thank you for your letter regarding the Federal Communications Commission's actions to help consumers address unwanted robocalls, which for years has been their top complaint to the agency. Combatting unwanted robocalls has been my top consumer protection priority since becoming Chairman. We have tackled this complex challenge with a comprehensive approach—though rulemaking, enforcement actions, and consumer education—in addition to our collaboration with other government entities and industry.

During my tenure as FCC Chairman, we've taken action to cut off robocalls and spoofing at the source, including authorizing carriers to stop certain spoofed robocalls. We've authorized the creation of a reassigned numbers database. And we've used the authority Congress gave us in last year's RAY BAUM'S Act to expand the reach of our anti-spoofing rules.

And in one of the biggest steps yet, at our June 2019 meeting, the FCC adopted my proposal to allow phone companies to establish call-blocking services as a default setting for consumers. This was paired with another proposal related to call-blocking—a Further Notice of Proposed Rulemaking regarding a safe harbor for carriers that block phone calls that are not properly authenticated under the SHAKEN/STIR caller ID authentication framework, including a proposal for the Commission to mandate adoption of that framework if major voice service providers fail to implement it by the end of the year. I'm optimistic that these steps will make a significant dent in this problem.

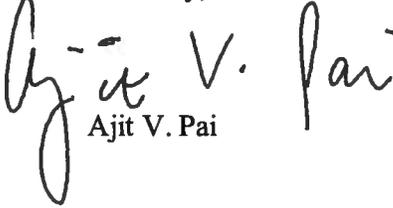
In addition, the Commission continues to aggressively enforce the Telephone Consumer Protection Act as well as the Truth in Caller ID Act. We have sent a clear message that those who engage in illegal robocall schemes will pay a price. In instances where robocallers have refused to pay the imposed forfeitures, the Commission refers the case to the Department of Justice for collection per our normal practice. Additionally, the FCC coordinates with the Federal Trade Commission on investigations into violations of our Do Not Call rules, and we work together on consumer education programs. The Commission also works with federal and state agencies to share information and resources that can be used to investigate unwanted calls.

Commission staff continue to review the record developed to resolve issues related to what constitutes an "automatic telephone dialing system" as well as the scope of a consumer's right to revoke prior express consent to receive robocalls. These issues were left open after the U.S. Court of Appeals for the District of Columbia's decision in *ACA International v. FCC* struck down much of the agency's *2015 TCPA Declaratory Ruling and Order*.

Page 2—The Honorable Tammy Duckworth

Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink that reads "Ajit V. Pai". The signature is written in a cursive style with a large initial "A" and a distinct "Pai" at the end.

Ajit V. Pai